

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
ELIAS GRAHAM,  
Defendant.

No. CR20-156-RSM

## **ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Entry of an Order of Forfeiture ("Motion") seeking to forfeit, to the United States, the Defendant Elias Graham's interest in the following property:

A sum of money in the amount of \$20,483.16, representing the proceeds the Defendant obtained as a result of his commission of Bank Fraud, in violation of 18 U.S.C. §§ 1342(2) and 2. The United States has agreed it will request the Attorney General apply any amounts it collects toward satisfaction of this forfeited sum to the restitution that is ordered. The United States also agreed that any amount the Defendant pays toward restitution will be credited against this forfeited sum.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- The proceeds of Bank Fraud, in violation of 18 U.S.C. §§ 1344(2) and 2, are forfeitable pursuant to 18 U.S.C. §982(a)(2);
- In his plea agreement, the Defendant agreed to forfeit the above-identified sum of money pursuant to 18 U.S.C. §982(a)(2), as it reflects the proceeds he obtained from his commission of the offense (Dkt. No.187, ¶ 13); and,
- This sum of money is personal to the Defendant; pursuant to Federal Rule of Criminal Procedure ("Fed. R. Crim. P.") 32.2(c)(1), no third-party ancillary process is required before forfeiting it.

**NOW, THEREFORE, THE COURT ORDERS:**

1. Pursuant to 18 U.S.C. § 982(a)(2), and his plea agreement, the Defendant's interest in the above-identified sum of money is fully and finally forfeited, in its entirety, to the United States;

2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become final as to the Defendant at the time he is sentenced; it will be made part of the sentence; and it will be included in the judgment;

3. No right, title, or interest in the identified sum of money exists in any party other than the United States;

4. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money, in whole or in part, the United States may move to amend this Order, at any time, to include substitute property having a value not to exceed this sum of money; and,

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5. The Court will retain jurisdiction in this case for the purpose of enforcing this Order, as necessary.

IT IS SO ORDERED.

DATED this 27<sup>th</sup> day of August, 2021.

*B. M. S.*

RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

*s/ Michelle Jensen*

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